THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.5527 of 2005

-

ORDER:

Petitioner seeks to issue a Writ of Mandamus directing the Regional Provident Fund Commissioner, Barkatpura, Hyderabad, to stay the sale proceeds on 03-03-2005 till the reconciliation of accounts between the Accounts Department and Enforcement Department and also to declare the proclamation of sale, since no warrant of attachment was served prior to proclamation of sale.

Previously also the petitioner filed W.P.No.3854 of 2005 to stay the sale proceeds on 03-03-2005 until the reconciliation of accounts between the Accounts Department and the Enforcement Department and also to declare the proclamation of sale, as void. For the self-same relief, I am of the opinion, the present writ petition is not maintainable. The earlier W.P.No.3854 of 2005 for the self-same relief was dismissed on the ground that the petitioner has not questioned the order under Section 7A of the Act, which has become final and no appeal is pending challenging the said order and therefore no interference warrants with the sale proceedings initiated by the respondent. I am of the opinion that the submission of the learned counsel for the petitioner that the earlier writ petition was dismissed on the ground that the order copy of the respondent was not enclosed is incorrect. The said submission is contrary to the order passed in the earlier writ petition. Earlier writ petition was dismissed on merits.

For the foregoing reasons, the Writ Petition is dismissed. No order as to costs.

_____

V.ESWARAIAH, J.

11th November, 2005.

skmr

THE HON'BLE SRI JUSTICE V.ESWARAIAH

Writ Petition No.5527 of 2005

-

Dated 11-11-2005

Between:

M/s.Surya Tronics Pvt. Ltd.,

Represented by its Chairman &

Managing Director K.Satyanarayana,

S/o late Venkata Krishnaiah, Aged 76 years,

Occ: Chairman and Managing Director of

M/s.Surya Tronics Pvt. Ltd., R/o A 301,

Ruhaina Apartments, Tarnaka,

Secunderabad-17 .. Petitioner

and

The Regional Provident Fund commissioner,

Barkatpura, Hyderabad,

Andhra Pradesh .. Respondent